

June 14, 2019

VIA ECF

Hon. Roslynn R. Mauskopf
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Dustin F. Hecker

Partner
617.973.6131 DIRECT
617.367.2315 FAX
dustin.hecker@arentfox.com

Reference Number
321319.00004

Re: Otter Products, LLC et al. v. Blue Point Solutions NY LLC et al., Case No. 18-cv-05969
(RRM) (GRB)

Dear Judge Mauskopf:

I write on behalf of Defendants/Counterclaim Plaintiffs Blue Point Solutions NY LLC (“Blue Point”) and Matkal LLC (“Matkal” and collectively “Defendants”). On May 23, 2019 Plaintiff Otter Products, LLC (“Otter”) filed a letter motion requesting a pre-motion conference regarding its proposed motion to dismiss. (“Otter Letter Motion”) (ECF No. 38). Your Honor granted Defendants until June 7, 2019 to respond to the Otter Letter Motion and then extended Defendants’ time to respond to June 14, 2019 in order for the parties to finalize a proposed settlement.

The parties have exchanged and expect to sign today a comprehensive settlement agreement and expect to file a stipulation of dismissal next week discontinuing this action. Accordingly, Defendants respectfully suggest that Otter’s Letter Motion is moot and because of the settlement, Defendants will not be submitting their opposition to the Otter Letter Motion today.

Thank you for your consideration in this matter.

Sincerely,

/s/Dustin F. Hecker
Dustin F. Hecker